

Proposed: 12/4/2023

ORDINANCE NO. 194-2023(COTW), *First Reading*

By Council Members Hart, Mattox, Larson, Russell, and Boyd

An Ordinance authorizing the allocation, appropriation and expenditure of ARPA funds; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, on the 11th Day of March 2021, the President of the United States, Joseph R. Biden, signed into law the American Rescue Plan Act of 2021 (hereafter “ARPA”), Public Law 117-2, authorizing, among other things, payment of direct subsidies to the general revenue funds of cities, counties, school districts, and other governmental entities; and

WHEREAS, the intended purpose of the direct subsidy payments to state and local governmental entities under the ARPA is to alleviate the effect of funding shortfalls; invest in state and local economic development; make necessary investments in water, sewer, and other infrastructure; and provide relief from the economic and societal hardships sustained during the onset of the Coronavirus Pandemic and COVID-19 illness, including assistance to households, small businesses and nonprofits, or to impacted industries such as tourism, travel and hospitality; and

WHEREAS, the City of Cleveland Heights has received Thirty-Eight Million Eight Hundred Seventeen Thousand and Sixty-Two Dollars (\$38,817,062.00) in direct payments from the enactment of the ARPA; and

WHEREAS, Cleveland Heights residents and businesses continue to experience physical and mental health stress and economic stress due to the pandemic and its effects; and

WHEREAS, Council wishes to provide for and authorize uses of ARPA funds, to address pandemic related stresses and effects, which have been determined through and pursuant to the community engagement activities described above which uses are identified in Exhibit A, attached hereto.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND HEIGHTS, THAT:

SECTION 1. The expenditures and/or allocations as described in Exhibit A are approved. The recipient or their agents must comply with U.S. Dept. of Treasury Rules for the use or expenditure of ARPA funds.

SECTION 2. The award identified in Section 1 and Exhibit A is conditioned upon (A) the approval of the specific use by Guidehouse Inc.; and (B) execution of a written

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agreement with the City which among other things, may set forth terms, conditions and limitations accompanying any award or disbursement of ARPA funds to the recipient.

SECTION 3. The Mayor or his designee is hereby authorized to encumber and expend all funds as allocated in Exhibit A.

SECTION 4. The Mayor, Director of Law and Director of Finance or their designees, be and are hereby authorized to execute, certify and/or furnish other such documents and take all other actions, including entering into separate agreements as are necessary or incidental to further acceptance, appropriation and expenditure of ARPA funds and/or which are incidental to carrying out the purposes of this Ordinance.

SECTION 5. The Director of Finance or his designee is hereby authorized to establish any additional funds or accounts, as may be necessary or incidental to the appropriation, encumbrance and/or expenditure of ARPA funds as allocated in Exhibit A.

SECTION 6. The Director of Finance or his designee is hereby authorized to transfer all ARPA funds between and among any funds, sub-funds and accounts, as necessary to allow for the posting of prior and future expenses, not to exceed the total ARPA funds awarded to the City.

SECTION 7. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 8. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to allocation ARPA Funds on a timely basis. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

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MELODY JOY HART  
President of Council

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ADDIE BALESTER  
Clerk of Council

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PASSED:

Presented to Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

**EXHIBIT A to ORDINANCE NO. XXX-2023**

<b>CATEGORY</b>	<b>PROJECT / DESCRIPTION</b>	<b>AMOUNT</b>
<b>Non-Profit Business Assistance</b>		
	<b>Coventry Village SID: Misc. projects and business development</b>	<b>\$313,560.00 (Award up to this amount with to terms to be determined)</b>